

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Jane Doe,)	
)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 2:24-cv-1682-RMG-KFM
)	
Weston & Sampson Engineers, Inc. and Jason)	
Roberts,)	
)	
Defendants.)	
)	
)	

DEFENDANT’S MOTION TO DISMISS

Defendant Weston & Sampson Engineers, Inc. (“Defendant” or “W&S”), pursuant to Federal Rule of Civil Procedure 12(b)(6), hereby moves this Court for dismissal of all state law claims alleged against W&S, as well as the Title VII hostile environment claim, in Plaintiff’s Complaint. As discussed in detail in W&S’s attached Memorandum in Support of its Motion to Dismiss, Plaintiff’s state law claims are duplicative of the Title VII claims and Plaintiff is limited to pursuing those statutory remedies, and further, the Title VII hostile environment claim should be dismissed because W&S took prompt and effective remedial action to control alleged hostile work conditions. In addition, Plaintiff’s intentional infliction of emotional distress claim against W&S is jurisdictionally barred by the exclusivity provision of the South Carolina Workers’ Compensation Act. Further, Plaintiff’s defamation claims fail as a matter of law because they lack the requisite specifically required to bring such claims. Accordingly, W&S respectfully requests that the Court dismiss with prejudice Counts Three, Four, and Five of Plaintiff’s Complaint that have been brought against W&S.

Respectfully submitted this 16th day of May, 2024.

By: s/ D. Randle Moody, II

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